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Defense Authorizations - 2006

An Analysis of Provisions Pertaining to the National Guard in the FY2006 National Defense Authorization Conference Report

(H.R. 1815/H.Rpt. 109-360)

January 27, 2006

Revised as of January 31 2006

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Executive Summary

Overview

At 909 pages, this year's Conference Report on the National Defense Authorization Act of 2006 is longer than any in at least the past 12 years. Consequently, there are a great number of provisions which have some impact on the National Guard. This guide provides a short summary and analysis of those provisions. To obtain a complete understanding of any particular provision, users are encouraged to review the actual legislative language contained in the applicable section of the law. The complete Conference Report is available on the NGB-LL web page at www.ngb.army.mil/ll/reports/06/hrpt109-360.pdf.

The following summarizes the major program areas of the FY06 NDAA:

EXECUTIVE SUMMARY OF FY06 NDAA AUTHORIZATION			
Title	FY05	FY06 Request	FY06 Actual
Operations and Maintenance			
ARNG	\$4,452,786,000	\$4,509,719,000	\$4,478,319,000
ANG	\$4,503,338,000	\$4,724,091,000	\$4,701,991,000
Military Construction			
ARNG	\$434,363,000	\$327,012,000	\$523,151,000
ANG	\$233,518,000	\$165,256,000	\$316,117,000
End Strength Authorizations			
ARNG	350,000	350,000	350,000
ANG	106,800	106,800	106,800
AGRs			
ARNG	26,602	27,345	27,396*
ANG	12,263	13,089	13,123*
Technicians, Dual Status			
ARNG	25,076	25,563	25,563
ANG	22,956	22,971	22,971
Technicians, Non-Dual Status			
ARNG	1,600	1,600	1,600
ANG	350	350	350

*Includes 51 Army National Guard and 34 Air National Guard to man CERFP teams, see section 412.

The following are highlights of the portions of the bill that apply to the National Guard:

- **Bonuses** – The National Guard received extensive support for recruitment and retention Bonuses. A quick summary of bonuses include:
 - Extension or resumption of certain bonus and special pay authorities for reserve forces. (sec. 621)
 - Extension of certain bonus and special pay authorities for certain health care professionals. (sec. 622)
 - Extension of other bonus and special pay authorities, such as retention bonuses for aviation officers and members with critical skills, and the reenlistment bonus for active members. (sec. 624)
 - Flexible payment of assignment incentive pay. (sec. 628)
 - Reenlistment bonus for members of Selected Reserve. (sec. 630)
 - Consolidation and modification of bonuses for affiliation or enlistment in Selected Reserve. (sec. 631)
 - Expansion and enhancement of special pay for enlisted members of the Selected Reserve assigned to certain high priority units. (sec. 632)
 - Easing of eligibility requirements for prior service enlistment bonus. (sec. 633)
 - Increase and enhancement of affiliation bonus for officers of the Selected Reserve. (sec. 634)
 - Uniform payment of foreign language proficiency pay to eligible reserve component members and regular component members. (sec. 639)
 - Retention bonus for members qualified in certain critical skills or assigned to high priority units. (sec. 640)
 - Temporary authority to pay bonus to encourage members of the Army to refer other persons for enlistment in the Army. (sec. 645)
- **TRICARE for Guard & Reserve** – The NDAA includes a major expansion of the eligibility of members of the Guard and Reserve to obtain health care coverage through TRICARE. (sec.701 & 702)
- **Retirement Points for State Active Duty** – The NDAA provides military retirement credit for certain service by National Guard members performed while in a state active duty status immediately after the terrorist attacks of September 11, 2001. It applies only to certain counties in New York and Virginia and only for a specified period. (sec. 514)
- **Army Modularity Reports** – The Secretary of the Army must provide Congress with a couple of reports about Army modularity this year. One on funding (sec. 115) and one on training (sec. 353). The funding report is due 30 days after the 2006 Supplemental request and Congress expects that information to be "aggregated by Army component."
- **Homeland Security Education** - The Secretary of Defense and the Secretary of Homeland Security should establish within the National Defense University an educational institution, to be known as the National College of Homeland Security. Note that this is a "should" not a "shall." (sec. 583)
- **CERFP Authorization** - The Conference Committee authorized 85 additional AGR personnel to staff five CBRNE Enhanced Response Force Packages. They also expressed their expectation that the creation of any additional NG CERFP teams would be subject to specific congressional authorization and a corresponding adjustment to the end strengths of reserves on active duty in support of the reserves authorized by law. They also expressed an expectation that certification requirements for the Civil Support

Teams would be met before any of these teams would be used to respond to a WMD emergency. (Sec 412)

- **Extended DARNG/DANG Retirement Age** - DARNG and DANG may now serve until age 64 instead of age 62. (Sec. 511)
- **Dual Status Technicians** - The SECARMY must implement policies allowing Dual Status Technicians to serve past Mandatory Removal Date until age 60 if they meet all other requirements. (Sec. 513). Also, the SECDEF is urged to promptly resolve issues regarding payment of reenlistment bonuses to ARNG technicians (Sec. 519).
- **Enhanced ROTC Scholarships** - The Conferees authorized expanded scope of ROTC scholarship (sec 531) and doubled the number of such scholarships for cadets authorized to perform their obligated service in the Guard or Reserve (sec. 532)
- **Educational benefits** - More loans are now eligible for loan repayment (sec. 537), Montgomery GI bill may be used for licensing and certification fees (sec. 539), and VA education benefits authority is changed (sec.540.)
- **BAH Type II Eliminated** - Eliminates the requirement to pay a lower level of housing allowance to troops ordered to duty for more than 30 but less than 139 days. Troops ordered to duty for less than 30 days but in support of a contingency operation get full housing allowance. (sec.610)
- **Dropped in Conference** - Several items which passed one chamber were, in fact, dropped in conference and did not become law. These included Senate provisions lowering of RC retirement pay eligibility age for employers and increasing the federal funding percentage for the Youth Challenge program.

REPORTS OF INTEREST – FY2006 NATIONAL DEFENSE AUTHORIZATION ACT

Date Due	Who	Subject
29 JAN 06	SECARMY	Army modular force initiative (sec. 115)
6 APR 06	SECAF	Air Force aeromedical evacuation programs (sec. 136)
1 MAY 06	SECDEF	Casualty assistance to survivors of military decedents (sec. 562)
1 MAY 06	SECDEF	Transition Assistance Programs (incl T32) (sec. 595)
6 MAY 06	SECDEF	Aerial recon assets to support homeland security border missions (sec. 1035)
1 JUN 06	SECDEF	Mental health awareness for dependents and pilot project on post-traumatic stress disorder (sec. 721)
1 JUL 06	GAO	Casualty assistance to survivors of military decedents (sec. 562)
1 SEP 06	SECDEF	Pilot projects on post-traumatic stress disorder and other mental health conditions (sec. 722)
3 OCT 06	GAO	Employment matters for members of the reserve components (sec. 517)
31 DEC 06	SECDEF	Clarification of authority for joint task forces to support law enforcement agencies conducting counterterrorism activities (sec. 1022)
6 JAN 07	SECARMY	Army training strategy for Modularity (sec. 353)
1 FEB 07	SECDEF	Reserve dental insurance program (sec. 738)
5 JUL 07	GAO	Army training strategy for Modularity (sec. 353)
30 JUN 07	SECDEF	Full-time airlift support for homeland defense operations (sec. 1052)
Not specified	SECDEF	Homeland defense education (sec. 583)

Title I - Procurement**ITEMS OF SPECIAL INTEREST – ARMY****Multiyear Procurement Authority for UH-60M/MH-60 Utility Helicopters (sec. 111)**

The Secretary of the Army is authorized to enter into a multiyear procurement contract, beginning with fiscal year 2007, for procurement of UH-60M Black Hawk utility helicopters and, acting as the executive agent for the Department of the Navy, enter into a multiyear contract for the procurement of MH-60S Sea Hawk utility helicopters. It is understood that the Department of the Army and the Department of the Navy intend to procure 461 H-60 helicopters. *(Conference Report, page 523, Title I – Procurement, Items of Special Interest, Subtitle B – Army Programs)*

Multiyear Procurement Authority for Modernized Target Acquisition Designation Sight/Pilot Night Vision Sensors for AH-64 Apache Attack Helicopters (sec. 112)

The Secretary of the Army is authorized to enter into a multiyear procurement contract, beginning with fiscal year 2006, for procurement of the Apache Modernized Target Acquisition Designation Sight/Pilot Night Vision Sensor (MTADS/PNVIS), with a 4 year limitation on the length of the contract. MTADS will be incorporated into and integrated into the program to convert AH-64A Apaches to the “D” model Apache (see sec. 113, below). MTADS provides a Second Generation Forward (SGF) Looking Infrared (FLIR) sensor suite for the Army’s fleet of Apache aircraft. The SGF system enhances the Apache pilot’s ability to engage targets during night operations and adverse weather conditions, improves reliability, and reduces operations and support costs. *(Conference Report, page 524, Title I – Procurement, Items of Special Interest, Subtitle B – Army Programs)*

Multiyear Procurement Authority for Conversion of AH-64A Apache Attack Helicopters to the AH-64D Block II Configuration (sec. 113)

The Secretary of the Army is authorized to enter into a multiyear procurement contract, beginning with fiscal year 2006, for procurement of the conversion of the conversion of AH-64A Apaches to the AH-64D Block II configuration, with a 4 year limitation on the length of the contract. It is understood that the Department of the Army intends to convert at least 96 AH-64A Apache helicopters to the AH-64D Block II configuration. *(Conference Report, page 524, Title I – Procurement, Items of Special Interest, Subtitle B – Army Programs)*

Acquisition Strategy for Tactical Wheeled Vehicle Programs (sec. 114)

The Secretary of the Army and the Secretary of the Navy are required to enter into a joint service program for the procurement of a new vehicle class of tactical wheeled vehicles. The Army-Marine Corps Board is encouraged to review the current requirements for Army and Marine Corps tactical wheeled vehicles with the intent to converge tactical wheeled vehicle requirements and acquisition. *(Conference Report, page 524, Title I – Procurement, Items of Special Interest, Subtitle B – Army Programs)*

Report on Army Modular Force Initiative (sec. 115)

The Secretary of the Army is directed to submit a report to the congressional defense committees that outlines the full scope and funding levels of the programs considered part of the modular force initiative and provides a detailed accounting of the use of funds provided for the modular force initiative in the 2005 emergency supplemental request. This report is to be submitted by January 29, 2006 (“no later

than 30 days after the date of the submission of the fiscal year 2006 request for emergency supplemental appropriations for the Department of Defense to the Congress"). Furthermore, the conferees direct the Secretary of the Army to submit a report that would specify each program in the modular force initiative and the requirements, acquisition objective, funding profile, and unfunded requirements for each program specified as part of the Army's modular force initiative. The conferees expect the Army to provide the requested information aggregated by Army component. Therefore, National Guard issues should be broken out specifically. (*Conference Report, page 525, Title I – Procurement, Items of Special Interest, Subtitle B – Army Programs*)

ITEMS OF SPECIAL INTEREST – AIR FORCE

Multiyear Procurement Authority for C–17 Aircraft (sec. 131)

The Secretary of the Air Force is authorized to enter into a multiyear contract, beginning with fiscal year 2006, for the procurement of up to 42 additional C-17 aircraft.

The Secretary of Defense is required to certify to the congressional defense committees that the requirement for these aircraft is consistent with the Quadrennial Defense Review (QDR) before procuring them under that multiyear authority, and to provide an additional explanation on how the future airlift force structure requirements in the QDR take into account the capability of the Civil Reserve Air Fleet to provide adequate augmentation in meeting global mobility requirements.

Further, the Secretary of Defense is required to carry out an assessment of the intertheater airlift capabilities required to support the national defense strategy as part of the QDR. This assessment is to be submitted to the Committees on Armed Services of the Senate and the House of Representatives by March 23, 3006 ("up to 45 days after submission of the QDR"), if the Department is unable to submit them with the budget request.

The Secretary of the Air Force is encouraged to procure sufficient C–17 aircraft to maintain the C–17 production at not less than the minimum sustaining rate in the event the Secretary of Defense is unable to make the multiyear certification, until sufficient flight test data has been obtained to validate the improved C–5 mission capability rates used in the Mobility Capabilities Study as a result of the C–5 Reliability Enhancement and Reengining Program and Avionics Modernization Program.

(*Conference Report, page 531, Title I – Procurement, Items of Special Interest, Subtitle D – Air Force Programs*)

Prohibition on Retirement of KC–135E Aircraft (sec. 132)

The Secretary of the Air Force is prohibited from retiring any KC-135E aerial refueling aircraft of the Air Force in fiscal year 2006. (*Conference Report, page 532, Title I – Procurement, Legislative Proposals Adopted, Subtitle D – Air Force Programs*)

Prohibition on retirement of F–117 aircraft during fiscal year 2006 (sec. 133)

The Secretary of the Air Force is prohibited from retiring any F–117 Nighthawk stealth attack aircraft of the Air Force in fiscal year 2006. (*Conference Report, page 532, Title I – Procurement, Legislative Proposals Adopted, Subtitle D – Air Force Programs*)

Prohibition on Retirement of C–130E/H Tactical Airlift Aircraft (sec. 134)

The Secretary of the Air Force is prohibited from retiring any C-130E/H tactical airlift aircraft of the Air Force in fiscal year 2006. (*Conference Report, page 532, Title I – Procurement, Legislative Proposals Adopted, Subtitle D – Air Force Programs*)

Procurement of C-130J/KC-130J Aircraft After Fiscal Year 2005 (sec. 135)

The Secretary of the Air Force is required to procure any C-130J/KC-130J aircraft after fiscal year 2005 through a negotiated standard defense contract rather than from a commercial item contract. It is believed that this will provide the government the oversight it needs to procure aircraft that are operationally effective and operationally suitable at a fair price. (*Conference Report, page 532, Title I – Procurement, Legislative Proposals Adopted, Subtitle D – Air Force Programs*)

Report on Air Force aircraft aeromedical evacuation programs (sec. 136)

The Secretary of the Air Force is required to submit to the congressional defense committees a report on aeromedical evacuation programs of the Air Force not later than April 6, 2006 (“90 days after the date of the enactment of this Act”). The report should provide a comprehensive evaluation and overall assessment of the current aeromedical evacuation program, carried out through the use of designated aircraft, compared to the former aeromedical evacuation program, carried out through the use of dedicated aircraft. The conferees also encourage the Secretary to address in the report all challenges and capability gaps related to the designated aircraft AE program and to outline explicitly the manner in which those challenges and capability gaps will be resolved. Furthermore, if the Secretary determines from the results of the report that dedicated AE aircraft are needed to augment the current AE program, the conferees encourage the Air Force to consider basing those aircraft at locations that have previous expertise in performing the dedicated aircraft AE mission. (*Conference Report, page 532, Title I – Procurement, Legislative Proposals Adopted, Subtitle D – Air Force Programs*)

AIRCRAFT – ARMY**AH-64 Modern Signal Processing Unit**

The conference authorized \$584.4 million for AH-64 modifications, including an increase of \$4 million over the president’s budget request to integrate the modern signal processing unit (MSPU) into the AH-64A and AH-64D production line and to procure the MSPU for fielding as spares for both the active Army and National Guard Apache and Longbow aircraft. The MSPU is an embedded digital vibration diagnostic technology that will improve flight safety and reduce maintenance test costs. (*Conference Report, page 442, Title I – Procurement, Aircraft Procurement, Army Aircraft, Line 10*)

WEAPONS AND TRACKED COMBAT VEHICLES– ARMY**Abrams Tank Modernization**

The conference authorized \$443.5 million for M1 Abrams tank modernization. The conference report language does not address details of such modernization, but the House report stated that “The committee remains resolute in its assessment that the Army should pure fleet its active component heavy forces and selected Army National Guard brigades with the M1A2 SEP tank. The conversion to 35 heavy armor modular brigade combat teams (BCTs) underscores the need for Abrams tank modernization...the committee strongly encourages the Army to procure at least one heavy armor modular brigade combat team of M1A2 SEP tanks annually, beginning in the fiscal year 2007 budget request until a minimum of 18 BCTs are equipped with the M1A2 SEP tank. (*Conference Report, page 448, Title I – Procurement, Procurement of Weapons and Tracked Combat Vehicles, Army, Line 12*)

Lightweight 155 Millimeter Howitzer

The conference authorized \$46.8 million for the Lightweight 155 millimeter (LW-155) Howitzer program, a joint U.S. Marine Corps/U.S. Army program. In the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), the Congress authorized a multiyear procurement contract as the program entered into a low rate initial production phase of the program. The Army requires additional LW-155s for the 7th Stryker Brigade Combat Team. This item is on the Chief of Staff of the Army's unfunded priorities list. (*Conference Report, page 449, Title I – Procurement, Weapons and Tracked Combat Vehicles, Line 26*)

OTHER PROCUREMENT – ARMY

Nonsystem Training Devices

The conference authorized \$198.2 million for Nonsystem Training Devices, including \$13.7 million marked for the America's Army Future Soldier Trainer (AA-FST). The AA-FST program has proven to be a valuable tool to lower attrition among future soldiers prior to their entry into initial training and the committee notes that phase 2 of the AA-FST program will expand the program to 12 battalion sets for the active force. While the Senate report had specified some training systems for the National Guard, those provisions were not adopted by the conference committee. (*Conference Report, page 464, Title I – Procurement, Other Procurement, Army, Line 171*)

Movement Tracking System

The conference authorized \$213.7 million in funding for the Family of Heavy Tactical Vehicles (FHTVs), including \$29.2 million for the movement tracking system (MTS) and \$5.0 million for the heavy expanded mobile tactical truck light equipment transporter (HEMTT LET), the M893 A2 LET. MTS provides commanders with the capability to communicate with and track the location of vehicles. The M893 A2 LET will be the primary vehicle for the engineer battalions of the Army National Guard, which support the Army's modular units of action and Stryker Brigade Combat Teams (SBCTs). (*Conference Report, page 456, Title I – Procurement, Other Procurement, Army, Line 8*)

Night Vision Devices

The conference authorized \$164.7 million for night vision devices, including \$76.9 million for the procurement of AN/PVS-14 night vision devices and \$20.0 million for the procurement of enhanced night vision goggles (ENVG). These devices increase situational awareness, mobility, and lethality during low-light and nighttime operations. Additionally, the ENVG consists of a state-of-the-art, enhanced 3rd Generation image intensifier sensor, an uncooled long-wave infrared camera, and a miniature display to provide high resolution fused imagery to the individual soldier. Additional funding for these items is on the Chief of Staff of the Army's unfunded priorities list. (*Conference Report, page 459, Title I – Procurement, Other Procurement, Army, Line 79*)

AIRCRAFT – AIR FORCE

AN/ARS-6 V12 Personnel Locator System

The conference authorized \$53.2 million for modifications to H-60 helicopters, including a mark of \$2.7 million for H-60 AN/ARS-6 V12 personnel locator system upgrades. Congress appropriated funding in fiscal year 2004 for the AN/ARS-6 V12 PLS modification for the ANG MH-60 rotorcraft as part of a two phased approach, with the first phase providing the necessary resources to integrate, test, evaluate and certify the new AN/ARS-6 V12 PLS aboard the MH-60 helicopter, as well as modify six Air National Guard MH-60 helicopters. The second phase, as authorized by the conference, would

leverage \$2.7 million to complete integration and procure the necessary AN/ARS-6 V12 PLS units to outfit the remaining ANG MH-60 helicopters. The current version, the AN/ARS-6 V3, is unable to communicate with newer combat survival radios/beacons such as the combat survivor evader locator radio, the PRC-112 family of radios, and the 406 emergency locator transmitter. (*Conference Report, page 500, Title I – Aircraft Procurement, Air Force, Line 59*)

KC-130J and C-130J Aircraft Procurement

The conference authorized \$1.24 billion for procurement of KC-130J and C-130J aircraft. Of that amount, \$357.1 million was authorized to procure four Navy KC-130J aircraft and \$880.8 million was authorized to procure nine C-130J Air Force aircraft. (*Conference Report, page 467, Title I – Aircraft Procurement, Navy, Line 21, and Conference Report, page 497, Title I – Aircraft Procurement, Air Force, Line 10*)

C-130 Senior Scout

The committee authorized \$200.7 million for C-130 modernization, including \$15 million for C-130E/H avionics modernization programs, but no funding marked specifically for the Senior Scout system. The Senior Scout system is an intelligence, surveillance, and reconnaissance suite of equipment configured in a shelter capable of installation in non-dedicated C-130E/H aircraft. The system provides capabilities to exploit, geo-locate and report signals of interest to air and ground component commanders. It supplies three, C-130 capable roll-on-roll-off sheltered systems ground Distributed Common Ground System (DCGS) components to the 169th intelligence squadron (IS), Utah, Air National Guard (ANG). The Senior Scout is supported solely by the 169th IS, which is a repository of uniquely skilled ANG linguists and a core component of the Air Force's airborne linguist pool(*Conference Report, page 500, Title I – Aircraft Procurement, Air Force, Line 49*)

C-5 Aircraft Avionics Modernization Program

The conference authorized \$86.1 million for C-5 modernization, including \$84.3 million for the C-5 avionics modernization program (AMP). AMP upgrades the C-5 cockpit, installs communications, navigation and safety/air traffic management equipment, and replaces unreliable cockpit avionics. (*Conference Report, page 499, Title I – Procurement, Modifications of In-Service Aircraft, Air Force, Line 30*)

C-130E/H Aircraft Modifications

The conference authorized \$200.7 million for modifications of in-service C-130 aircraft, including \$50.6 million for the procurement of Avionics Modernization Program (AMP) modifications and \$7.1 million for the procurement and installation of one C-130 Center Wing Box (CWB) with expired service life. (*Conference Report, page 500, Title I – Procurement, Modifications of In-Service Aircraft, Air Force, Line 49*)

E-8C Joint Surveillance and Target Attack Radar System Re-engineering

The conference authorized \$15.5 million for the procurement of modifications to in-service E-8 aircraft, but did not include funding for re-engining E-8C Joint STARS aircraft. The re-engining of the E-8C aircraft is included on the Air Force Chief of Staff's unfunded priorities list. The conference did, however, authorize \$13.5 million in Research, Development, Test, and Evaluation, Air Force, to complete the non-recurring engineering (NRE) activities required to initiate a reengining program for the E-8C aircraft fleet. The conferees encourage the Secretary of the Air Force to complete funding of the NRE in the fiscal year 2007 budget request. The conferees note that in January 2005 the Under Secretary of Defense for Acquisition, Technology, and Logistics announced the Department of

Defense's intent to request quotes from industry on the costs to purchase or lease new engines and understand that the Department has completed evaluation of these quotes. If leasing new engines is the recommended alternative, the conferees expect the Secretary of the Air Force to propose an appropriate leasing arrangement that complies with the Office of Management and Budget guidance to implement this recommendation. (*Conference Report, page 500, Title I – Procurement, Modifications of In-Service Aircraft, Air Force, Line 57, and Conference Report, page 585, Title II – Research, Development, Test and Evaluation, Air Force, Line 155*)

Advanced Targeting Pods

The conference authorized \$661.9 million for procurement of aircraft support equipment and facilities, Air Force, including \$58.5 million for Advanced Targeting Pods. The ATP will supplement and replace the current targeting pod with a new system that provides increased combat effectiveness across several mission areas. The LITENING ATP is currently in use by the Active Duty, Air National Guard, and Air Force Reserve Command. The Combat Air Force is over 100 ATPs short of the requirement to equip legacy aircraft, and the procurement of additional ATPs is included on the Chief of Staff of the Air Force's unfunded priorities list. (*Conference Report, Page 501, Title I – Procurement, Aircraft Procurement, Air Force, Line 75*)

OTHER PROCUREMENT – AIR FORCE

Mobile Approach Control System

The conference authorized \$16.8 million for air traffic control and landing systems, but did not authorize funding for mobile approach control systems, which provide military forces with next-generation mobile air traffic control services, day and night, in all weather conditions, to military and civilian aircraft, and replace the aging TPN-19 and MPN-14K landing control centers employed by the Department of the Air Force combat communications squadrons and Air National Guard (ANG) air traffic squadrons. The Air Force Chief of Staff has included MACSs for the ANG among his top four unfunded priorities for fiscal year 2006. (*Conference Report, page 511, Title I – Procurement, Other Procurement, Air Force, Electronics Programs Line 40*)

PROCUREMENT – DEFENSE-WIDE

Chemical and Biological Defense

The conference authorized \$676.9 million for Chemical and Biological Defense procurement, including \$10.2 million for military mail screening equipment and \$16 million for the M22 automatic chemical agent detection alarm, \$198.0 million for procurement of installation force protection equipment, \$97.2 million for individual protection equipment, \$3.0 million for decontamination equipment, \$62.3 million for the joint biological defense program, \$31.8 million for collective protection equipment, and \$258.3 million for contamination avoidance equipment. (*Conference Report, page 520-521, Title I – Procurement, Defense-wide, Lines 66-71*)

Automatic Chemical Agent Detector and Alarm

The conference authorized \$274.3 million for contamination avoidance equipment. This supports the procurement of chemical and biological detection, warning and reporting, and reconnaissance systems, such as the Automatic Chemical Agent Detector and Alarm (ACADA). It has been noted by congress that a number of Active Duty Army and National Guard units are deployed worldwide in support of military operations, and that these units should have the best possible defense against chemical

threats. (*Conference Report, page 521, Title I – Procurement, Defense-wide, Chemical/Biological Defense, Line 71*)

Title II – Research, Development, Test, and Evaluation

A–10 Aircraft Propulsion Improvements

The conference authorized \$61.8 million for continued development of the A-10 Aircraft, which includes a \$10 million mark for A-10 propulsion upgrades. (*Conference Report, page 584, Title II – Research, Development, Test, and Evaluation, Air Force, Line 129*)

E–8C Joint Surveillance and Target Attack Radar System Re-engineering

The conference authorized \$15.5 million for the procurement of modifications to in-service E-8 aircraft, but did not include funding for re-engineing E-8C Joint STARS aircraft. The re-engineing of the E–8C aircraft is included on the Air Force Chief of Staff's unfunded priorities list. The conference did, however, authorize \$13.5 million in Research, Development, Test, and Evaluation, Air Force, to complete the non-recurring engineering (NRE) activities required to initiate a reengining program for the E–8C aircraft fleet. The conferees encourage the Secretary of the Air Force to complete funding of the NRE in the fiscal year 2007 budget request. The conferees note that in January 2005 the Under Secretary of Defense for Acquisition, Technology, and Logistics announced the Department of Defense's intent to request quotes from industry on the costs to purchase or lease new engines and understand that the Department has completed evaluation of these quotes. If leasing new engines is the recommended alternative, the conferees expect the Secretary of the Air Force to propose an appropriate leasing arrangement that complies with the Office of Management and Budget guidance to implement this recommendation. (*Conference Report, page 500, Title I – Procurement, Modifications of In-Service Aircraft, Air Force, Line 57, and Conference Report, page 585, Title II – Research, Development, Test and Evaluation, Air Force, Line 155*)

Title III -- Operations and Maintenance

ARMY NATIONAL GUARD– OPERATIONS AND MAINTENANCE FY2006 NATIONAL DEFENSE AUTHORIZATION ACT		
<i>(dollar amounts reflected in thousands)</i>		
	FY06 Request	FY06 Authorized
Operations and Maintenance, Army National Guard		
Divisions	\$600,818	\$600,818
Corps Combat Forces	\$530,869	\$530,869
Corps Support Forces	\$322,856	\$322,856
EAC Support Forces	\$606,026	\$606,026
Operations Support	\$26,077	\$26,077
Force Readiness Support [+\$2,500, Communicator automated emergency notification system] [+2,000 for Extended cold weather clothing system]	\$227,670	\$232,170

Land Forces Systems Readiness	\$126,496	\$126,496
Land Forces Depot Maintenance	\$255,367	\$255,367
Base Operations Support	\$610,219	\$610,219
Facilities Sustainment, Restoration, and Modernization	\$391,544	\$391,544
Management and Operations, HQ	\$406,794	\$406,794
Miscellaneous Activities (Land Forces Readiness)	\$65,363	\$65,363
Administration	\$111,552	\$111,552
Service-wide Communications	\$52,814	\$52,814
Manpower Management	\$50,653	\$50,653
Recruiting and Advertising	\$124,601	\$124,601
Unobligated Balances	--	<-\$35,900>
Total	\$4,509,719	\$4,478,319
Emergency Authorization: Operation and Maintenance, Army National Guard		
Recruiting and retention initiatives	--	\$147,000
National Guard family support centers	--	\$12,500
Medical readiness screening	--	\$31,000
CERFP teams	--	\$5,800
Total	--	\$196,300

AIR NATIONAL GUARD – OPERATIONS AND MAINTENANCE FY2006 NATIONAL DEFENSE AUTHORIZATION ACT

(dollar amounts reflected in thousands)

	FY06 Request	FY06 Authorized
Operations and Maintenance, Air National Guard		
Aircraft Operations	\$2,938,127	\$2,938,127
Mission Support Operations	\$497,447	\$497,447
Depot Maintenance	\$612,807	\$612,807
Facilities Sustainment, Restoration, and Modernization	\$169,791	\$169,791
Base Support	\$467,517	\$467,517
Administration	\$28,949	\$28,949

Recruiting and Advertising	\$9,453	\$9,453
Unobligated Balances	--	<-\$22,100>
Total	\$4,724,091	\$4,701,991
Emergency Authorization: Operations and Maintenance, Air National Guard		
CERFP teams	--	\$3,400
Medical readiness screening	--	\$10,000
Total	--	\$13,400

OTHER NATIONAL GUARD – OPERATIONS AND MAINTENANCE FY2006 NATIONAL DEFENSE AUTHORIZATION ACT <i>(dollar amounts reflected in thousands)</i>		
	FY06 Request	FY06 Authorized
Operations and Maintenance, Defense-wide, that impact the National Guard, Total		
Citizen-Soldier Support Program <i>(provides expert assistance to reserve families in areas in which military installations and associated services do not exist)</i>	--	\$2,000
National Guard Youth Challenge	--	\$15,000
Total	--	\$17,000

OPERATIONS AND MAINTENANCE – OTHER LEGISLATIVE PROVISIONS IMPACTING THE NATIONAL GUARD

Army Training Strategy (sec. 353)

The Secretary of the Army is directed to develop and implement a training strategy for the Modular force and submit a report to the congressional defense committees no later than January 6, 2007 ("one year after the enactment of the FY2006 National Defense Authorization Act"). The Comptroller General is directed to monitor the implementation of this training strategy and submit a report to the congressional defense committees not later than 180 days after the submission of the Secretary of the Army's report. The report shall contain an assessment of the progress of the Army to implement the training strategy. (*Conference Report, page 673, Title III – Operations and Maintenance, Subtitle F – Analysis, Strategies, and Reports*)

Department of Defense Foreign Language Training

The conference authorized \$2.5 million for the Defense Language Institute and \$3.0 million for satellite communications language training activities. Certain National Guard personnel are eligible to take part

in these programs. (*Conference Report, page 635, Title III – Operations and Maintenance, Army, Basic Skill/Advance Training, Line 210*)

Homeland Security/Homeland Defense Education Consortium

The conference authorized \$1.0 million for the U.S. Northern Command Homeland Security/Homeland Defense Education Consortium. This is an integrated, nationwide network of over 100 military, federal, and civilian academic and research institutions conducting educational programs and research related to homeland security and defense. The Consortium has a four-point charter:

1. Ensure the DOD roles in homeland security and homeland defense are accurately reflected in national education initiatives.
2. Facilitate homeland security and homeland defense education program development.
3. Focus research through the development of NORAD-USNORTHCOM research priorities.
4. Encourage cooperation and networking. (*Conference Report, page 653, Title III – Operations and Maintenance, Air Force, Line 620*)

Title IV – Military Personnel Authorizations

End strengths for Selected Reserve (sec. 411)

This authorize the following end strengths for Selected Reserve personnel, including the end strengths for reserves on active duty in support of the reserves as of September 30, 2006: the Army National Guard of the United States, 350,000; the Army Reserve, 205,000; the Naval Reserve, 73,100; the Marine Corps Reserve, 39,600; the Air National Guard of the United States, 106,800; the Air Force Reserve, 74,000; and the Coast Guard Reserve, 10,000.

The conferees recommend end strength levels for the Selected Reserve for fiscal year 2006 as set forth in the following table:

END STRENGTHS FOR SELECTED RESERVE			
Service	FY05	FY06 Request	FY06 Actual
Army National Guard	350,000	350,000	350,000
Army Reserve	205,000	205,000	205,000
Naval Reserve	83,400	73,100	73,100
Marine Corps Reserve	39,600	39,600	39,600
Air National Guard	106,800	106,800	106,800
Air Force Reserve	76,100	74,000	74,000
DoD Total	860,900	848,500	848,500
Coast Guard Reserve	10,000	10,000	10,000

End strengths for reserves on active duty in support of the reserves (sec. 412)

This authorizes end strengths for reserves on active duty in support of the reserves as set forth in the following table:

END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES			
Service	FY05	FY06 Request	FY06 Actual
Army National Guard	26,602	27,345	27,396
Army Reserve	14,970	15,270	15,270
Naval Reserve	14,152	13,392	13,392
Marine Corps Reserve	2,261	2,261	2,261
Air National Guard	12,263	13,089	13,123
Air Force Reserve	1,900	2,290	2,290
DoD Total	72,148	73,647	73,732

Added AGRs for CERFP

In addition to the budget request, the end strengths recommended by the conferees would include an additional 51 reserves on active duty in support of the reserves for the Army National Guard and an additional 34 for the Air National Guard for the creation of five additional National Guard Chemical, Biological, Radiological, Nuclear and High Yield Explosive Enhanced Response Force Package (NG CERFP) teams.

The conferees would expect that the certification requirement for reserve component rapid assessment element teams under section 12310(c)(5) of title 10, United States Code, would be met by the Secretary of Defense before any of these teams would be used to respond to a weapons of mass destruction or terrorist emergency.

The conferees would also expect that the creation of any additional NG CERFP teams would be subject to specific congressional authorization and a corresponding adjustment to the end strengths of reserves on active duty in support of the reserves authorized by law.

End strengths for military technicians (dual status) (sec. 413)

This authorizes end strengths for military technicians (dual status) as set forth in the following table:

END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS)			
Service	FY05	FY06 Request	FY06 Actual
Army National Guard	25,076	25,563	25,563
Army Reserve	7,299	7,649	7,649
Air National Guard	22,956	22,971	22,971
Air Force Reserve	9,954	9,852	9,852
DoD Total	65,285	66,035	66,035

Fiscal year 2006 limitation on number of non-dual status technicians (sec. 414)

This establishes the maximum end strengths for the reserve components of the Army and Air Force for non-dual status technicians as of September 30, 2006.

MAXIMUM END STRENGTHS FOR MILITARY TECHNICIANS (NON-DUAL STATUS)	
Service	FY 2006
Army National Guard	1,600
Army Reserve	695
Air National Guard	350
Air Force Reserve	90

Maximum number of Reserve personnel authorized to be on active duty for operational support (sec. 415)

This authorizes the maximum number of Reserve component personnel who may be on active duty or full-time National Guard duty under section 115(b) of title 10, United States Code, during fiscal year 2006 to provide operational support.

The conferees recommend maximum levels by service for Reserve component personnel on full-time, active duty who are providing operational support as set forth in the following table:

Service FY 2006 conference recommendation:

MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT			
Service	FY05	FY06 Request	FY06 Actual
Army National Guard	10,300	17,000	17,000
Army Reserve	5,000	13,000	13,000
Naval Reserve	6,200	6,200	6,200
Marine Corps Reserve	2,500	3,000	3,000
Air National Guard	10,100	16,000	16,000
Air Force Reserve	3,600	14,000	14,000
DoD Total	37,700	69,200	69,200

Title V – Military Personnel Policy**Two-year renewal of temporary authority to reduce minimum length of commissioned service required for voluntary retirement as an officer (sec. 502)**

This authorizes through December 31, 2008, reduction in the amount of time from 10 years to 8 years that an officer who has prior enlisted service must serve as a commissioned officer in order to retire as a commissioned officer.

Authority for Federal recognition of National Guard commissioned officers appointed from former Coast Guard personnel (sec. 505)

This makes current and former officers and enlisted members of the U.S. Coast Guard, as well as graduates of the U.S. Coast Guard Academy, eligible for federal recognition after becoming commissioned officers of the National Guard.

Test Authority for designation of a general/flag officer position on the Joint Staff to be held by reserve component general or flag officer on active duty (sec. 510)

This increases from 10 to 11 the number of reserve general or flag officer positions that the Chairman of the Joint Chiefs of Staff can designate to be held only by reserve component general and flag officers on active duty and authorize one of these positions to be designated on the Joint Staff.

Separation at age 64 for reserve component senior officers (sec. 511)

This contains a provision that would extend from age 62 to 64 the age at which the chiefs of the Army Reserve and Air Force Reserve, and the directors of the Army National Guard and Air National Guard must retire.

Military technicians (dual status) mandatory separation (sec. 513)

This contains a provision that would require the Secretary of the Army to implement personnel policies that would allow a military technician (dual status) who continues to meet the requirements for dual status to serve beyond a mandatory removal date for officers, and any applicable maximum years of service limitation, until the military technician (dual status) reaches age 60 and attains eligibility for an unreduced annuity.

Military retirement credit for certain service by National Guard members performed while in a state duty status immediately after the terrorist attacks of September 11, 2001 (sec. 514)

This authorizes federal military retirement credit for full-time state active duty service performed by members of the National Guard on or after September 11, 2001, and before October 1, 2002, in specified counties in New York and Virginia as an appropriate recognition of the unique circumstances and national impact of the terrorist attacks of September 11, 2001. This authorization of federal military retirement benefits for state active duty service is both specific and limited. This authorization does not extend to any other form of federal benefits. Service must been in Arlington County, Virginia or in the counties of Bronx, Kings, New York (boroughs of Brooklyn and Manhattan), Queens, Richmond, Delaware, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, Sullivan, Ulster, and Westchester, in the State of New York.

Report on employment matters for members of the reserve components (sec. 517)

This section requires the Comptroller General to submit a report to Congress on difficulties faced by members of the reserve components with respect to employment as a result of being ordered to perform full-time National Guard duty or being ordered to active duty. This report should also include re-employment issues and difficulties by disabled members. In preparing the report, the Comptroller General must include specific information on the following: the number of employers of members of the reserve components in the public and private sector, respectively; an estimate of the number of employers who employ fewer than 50 full-time employees; an estimate of the number of members of the reserve components who are self-employed; the nature of the business of employers of members of the reserve components; and a description of the difficulties faced by members of the reserve

components in gaining reemployment after having performed full-time National Guard duty or active duty service, including difficulties faced by members who are disabled and who are veterans of the Vietnam era.

Defense Science Board study on deployment of members of the National Guard and reserves in the global war on terrorism (sec. 518)

This requires the Defense Science Board to conduct a study on the length and frequency of the deployment of members of the National Guard and reserves as a result of the global war on terrorism. The study must include an identification of the current range of lengths and frequencies of deployments; an assessment of the consequences for force structure, morale, and mission capability of deployments that are lengthy, frequent, or both; an identification of the optimal length and frequency of deployments; and identification of mechanisms to reduce the length, frequency, or both, of deployments of members of the National Guard and the reserves. The study, with recommendations the Defense Science Board considers appropriate, are due to the congressional defense committees not later than May 1, 2006.

Sense of Congress on certain matters relating to the National Guard and Reserves (sec. 519)

This urges the Secretary of Defense to promptly resolve issues relating to appropriate authority for payment of reenlistment bonuses stemming from reenlistment contracts entered into between January 14, 2005, and April 17, 2005, involving members of the Army National Guard and military technicians (dual status).

Pilot program on enhanced quality of life for members of the Army Reserve and their families (sec. 520)

This contains a provision that would require the Secretary of the Army to conduct a pilot program in two States to assess the feasibility of utilizing a coalition of military and civilian community personnel in order to enhance the quality of life for members of the Army Reserve and their families. The Secretary is to identify the locations of the program, and to require that personnel participating in the pilot program include military personnel and appropriate members of the civilian community.

The conferees intend that the principal objective of the pilot program shall be to enhance the mission readiness of members of the Army Reserve by assisting their families in addressing the many challenges presented by deployments, including separation, family relationships, and parenting.

Repeal of limitation on amount of financial assistance under ROTC scholarship programs (sec. 531)

This contains a provision that would authorize the service secretaries to pay the costs of room and board for Reserve Officers' Training Corps (ROTC) cadets who are receiving scholarships when those costs exceed the cumulative cost of tuition, fees, books, and laboratory expenses. Current law allows ROTC scholarships to cover the cost of room and board, but limits the amount of room and board to the cost of tuition, fees, books, and laboratory expenses.

Increase in annual limit on number of ROTC scholarships under Army Reserve and National Guard program (sec. 532)

This will increase from 208 to 416 the maximum number of Reserve Officers' Training Corps scholarships the Army may provide to cadets who would be authorized to perform their obligated service in the Army Reserve or Army National Guard.

Eligibility of United States nationals for appointment to the Senior Reserve Officers' Training Corps (sec. 534)

This will authorize U.S. nationals to be appointed as a cadet or midshipman in the Senior Reserve Officers' Training Corps, to be appointed as a cadet in the Army Reserve or Army National Guard of the United States, and to be eligible for appointment as a commissioned officer, under the same statutory authorities and criteria that apply to U.S. citizens.

Enhancement of educational loan repayment authorities (sec. 537)

This will modify section 2171(a) of title 10, United States Code, to include additional types of loans incurred for educational purposes by service members that would be eligible for loan repayment by the Department of Defense. The provision would also make both officer and enlisted personnel eligible for loan repayment.

Examples include loans from (i) an agency or instrumentality of a State; (ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State; (iii) a pension fund approved by the Secretary for purposes of this section; or (iv) a non-profit private entity designated by a State, regulated by such State, and approved by the Secretary for purposes of this section.

Use of Reserve Montgomery GI Bill benefits and benefits for mobilized members of the Selected Reserve and National Guard for payments for licensing or certification tests (sec. 539)

This will authorize the use of Reserve Montgomery GI Bill benefits and benefits for mobilized members of the Selected Reserve and National Guard for licensing or certification test fees in the amount of \$2,000 or the fee charged for the test, whichever is less. These changes will take effect on January 6, 2006 (the date of enactment of this Act.)

Modification of educational assistance for reserves supporting contingency and other operations (sec. 540)

This will modify the authority for educational assistance benefits for reserves who have served on active duty in support of a contingency operation, or for members of the National Guard who served on full-time National Guard duty for the purpose of responding to a national emergency, for more than 90 days. The provision will clarify that the Secretary of Veterans Affairs prescribes the manner and form of election of benefits to comply with the requirement that individuals receive assistance under only one such program. It also provides an exception to the immediate termination of assistance for members of the Selected Reserve who incur a break in service of not more than 90 days if the member continues to serve in the Ready Reserve.

Uniform citizenship or residency requirements for enlistment in the Armed Forces (sec. 542)

This will clarify and uniformly apply existing practices of the military services regarding eligibility of individuals who are not citizens of the United States to enlist in the Armed Forces.

National Call to Service program (sec. 545)

This will amend section 510 of title 10, United States Code, to clarify that eligibility under the National Call to Service program would include military occupational specialties for enlistments for officer training and subsequent service as an officer, in cases in which the reason for the enlistment and entry into the

National Call to Service program is to enter an officer training program. The Peace Corps is removed from the national service programs where candidates can complete their obligated service.

Sense of Congress on applicability of Uniform Code of Military Justice to reserves on inactive duty training overseas (sec. 557)

This would express the sense of the Congress that there should be no ambiguity about the applicability of the Uniform Code of Military Justice (UCMJ) to members of the reserve components of the Armed Forces while serving overseas under inactive duty training orders. The provision further expresses the sense of the Senate that the Secretary of Defense should take action, not later than February 1, 2006, to clarify any jurisdictional issues relating to such applicability under Article 2 of the UCMJ (10 U.S.C. 802), and, if necessary, to submit to Congress a legislative proposal to ensure the applicability of the UCMJ in such situations.

Policy and procedures on casualty assistance to survivors of military decedents (sec. 562)

This will require the Secretary of Defense to prescribe a comprehensive policy not later than January 1, 2006, on the provision of casualty assistance to survivors and next of kin of members of the Armed Forces who die during military service. The policy will address certain elements that shall be uniform across the military departments, except to the extent necessary to reflect the traditional practices or customs of a particular military department. The will require the military departments, not later than March 1, 2006, to prescribe revised regulations and a report by the Secretary not later than May 1, 2006, assessing the adequacy and sufficiency of current casualty assistance programs of the military departments. The General Accountability Office (GAO) will be required to report by July 1, 2006, on the current policies and procedures of, and funding for, the Department's casualty assistance programs.

The conferees believe the GAO assessment will be valuable in formulating uniform policies under this provision.

Policy and procedures on assistance to severely wounded or injured service members (sec. 563)

This will require the Secretary of Defense to examine the programs of the military services that provide assistance to service members who incur severe wounds or injuries in the line of duty, including the Army Disabled Soldier Support Program and the Marine for Life Injured Support Program, and develop standards and guidelines as necessary to coordinate and standardize those programs with the activities of the Severely Injured Joint Support Operations Center of the Department of Defense.

It also requires the Secretary of Defense, not later than June 1, 2006, to prescribe a comprehensive policy, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, for the Department of Defense on the provision of assistance to members of the Armed Forces who incur severe wounds or injuries in the line of duty. It will also require that certain elements be addressed and that the policy include guidelines to be followed by military departments in the provision of assistance to severely wounded or injured service members and procedures and standards are uniform across the military departments to the extent practicable. The services would be required to prescribe their respective regulations by September 1, 2006.

Eligibility for Operation Enduring Freedom campaign medal (sec. 576)

This will establish September 11, 2001, as the beginning date for eligibility for the campaign medal for Operation Enduring Freedom, which was established pursuant to Public Law 108-234.

Sense of Congress concerning study of options for providing homeland defense education (sec. 583)

This will express a sense of Congress that the Secretary of Defense, in consultation with the Secretary of Homeland Security, should establish within the National Defense University an educational institution, to be known as the National College of Homeland Security, to have the mission of providing strategic-level homeland security and homeland defense education and related research to civilian and military leaders from all agencies of government in order to contribute to the development of a common understanding of homeland security principles and of effective interagency homeland security strategies, doctrines, and processes.

It will also express a sense of Congress that the Secretary of Defense, in consultation with the Secretary of Homeland Security, should study the options among public and private educational institutions and facilities, including an option of using the National Defense University, for providing strategic-level homeland defense education and related research to civilian and military leaders from all agencies of government in order to contribute to the development of a common understanding of homeland defense principles and of effective interagency homeland defense strategies, doctrines, and processes. The results of such consultation and study should be reported to the Committees on Armed Services of the Senate and the House of Representatives, together with such recommendations as the Secretary of Defense considers appropriate, including a request for implementing legislation that would contribute to the development of strategic-level homeland defense education.

Expansion and enhancement of authority to present recognition items for recruitment and retention purposes (sec. 589)

This will extend for 1 year the authority to award recognition items of nominal value provided in section 520 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375).

It will also expand the authority to award recognition items to all active and reserve components and extend it through December 31, 2007. NATIONAL GUARD- Section 717 of title 32, United States Code, is repealed.

Report on Transition Assistance Programs (sec. 595)

This will require the Secretary of Defense, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, to submit a report on actions taken to ensure that Transition Assistance Programs for military members separating from the Armed Forces (including members of the reserve components) function effectively to provide timely and comprehensive transition assistance.

Focus on Particular Members- The report required shall include particular attention to the actions taken with respect to the Transition Assistance Programs to assist the following members of the Armed Forces:

- (1) Members deployed to Operation Iraqi Freedom.
- (2) Members deployed to Operation Enduring Freedom.
- (3) Members deployed to or in support of other contingency operations.
- (4) Members of the National Guard activated under the provisions of title 32, United States Code, in support of relief efforts for Hurricane Katrina and Hurricane Rita.

Title VI – Compensation and other Personnel Benefits

Increase in basic pay for fiscal year 2005 (sec. 601)

This will specify the requirement for increased pay for members of the Armed Forces by 3.5 percent effective January 1, 2005, and waiver of the adjustment required by section 1009 of title 37, United States Code.

Basic pay rates for reserve component members selected to attend military service academy preparatory schools (sec. 603)

This clarifies that reserve component members who are attending military service academy preparatory schools shall be paid at the rate prescribed for the member's pay grade unless the standard rate of compensation provided to cadets and midshipmen is greater.

Clarification of restriction on compensation for correspondence courses (sec. 604)

This clarifies that members of the National Guard, as well as other members of the reserve components, are not authorized to be compensated for work associated with participation in a correspondence course sponsored by a uniformed service.

Basic allowance for housing for reserve component members (sec. 610)

This will eliminate the requirement to pay a reduced rate of basic allowance for housing (BAH) to reserve component members when called or ordered to serve on active duty for periods greater than 30 days and less than 140 days. It will also clarify that full BAH would be paid to reserve component members when they are called or ordered to serve on active duty for less than 30 days in connection with a contingency operation.

Income replacement payments for reserves experiencing extended and frequent mobilization for active duty service (sec. 614)

This requires payment to involuntarily mobilized reserve members of an amount that would replace the differential between their regular military compensation, plus any special or incentive pays and allowances, and the average monthly income they received during the 12 months preceding the month during which they were mobilized. The provision becomes effective July 5, 2006 (180 days after the enactment of this act.)

Extension or resumption of certain bonus and special pay authorities for reserve forces (sec. 621)

This extends or resumes the authority for the Selected Reserve reenlistment bonus, special pay for enlisted members assigned to certain high priority units, the Ready Reserve enlistment bonus for persons without prior service, the Ready Reserve enlistment and reenlistment bonus for persons with prior service, and the Selected Reserve enlistment bonus for persons with prior service until December 31, 2006.

Extension of certain bonus and special pay authorities for certain health care professionals (sec. 622)

This extends the authority to pay the nurse officer candidate accession bonus, the accession bonus for registered nurses, incentive special pay for nurse anesthetists, special pay for Selected Reserve health

professionals in critically short wartime specialties, the accession bonus for dental officers, and the accession bonus for pharmacy officers until December 31, 2006. The provision will also extend the authority to repay education loans for certain Selected Reserve health professionals until January 1, 2007.

Extension of other bonus and special pay authorities (sec. 624)

This extends the authority for the aviation officer retention bonus, the reenlistment bonus for active members, the enlistment bonus for active members, the retention bonus for members with critical skills, and the accession bonus for new officers in critical skills until December 31, 2006. The provision would also extend the authority for assignment incentive pay until December 31, 2007.

Flexible payment of assignment incentive pay (sec. 628)

This will authorize assignment incentive pay to be paid on a monthly basis, in a lump sum, or in installments other than monthly. It will also require a written agreement when assignment incentive pay is paid in a lump sum or in installments. It also increases assignment incentive pay to \$3,000 monthly and clarifies when such pay must be paid back.

Reenlistment bonus for members of Selected Reserve (sec. 630)

This will extend the maximum years of service beyond which a reenlistment bonus may not be awarded from 16 years to 20 years, prohibit inclusion of portions of a term of reenlistment or extension of enlistment in excess of 24 years in computing the total bonus amount, and authorize the service secretaries to waive eligibility criteria established in law during war or national emergency. It also contains a provision permitting waiver of all or a part of the eligibility requirements for the Selected Reserve reenlistment bonus in time of war or national emergency.

Consolidation and modification of bonuses for affiliation or enlistment in Selected Reserve (sec. 631)

This will consolidate sections 308c and 308e of title 37, United States Code, setting the maximum amount that may be paid to members who affiliate with Selected Reserve units at \$15,000 and that would specify new installment or lump-sum payment options. Under a revised section 308c, the section would authorize an accession bonus for enlistment of non-prior service individuals in the Selected Reserve with \$20,000 maximum payments and installment or lump-sum options authorized for the affiliation bonus.

It will require the service secretaries to designate the skills, units, and pay grades for which an affiliation bonus may be paid and prescribe conditions and circumstances under which repayment of the bonuses would be required.

Expansion and enhancement of special pay for enlisted members of the Selected Reserve assigned to certain high priority units (sec. 632)

This will increase the amount of special pay that may be awarded to members of the Selected Reserve assigned to certain high priority units from \$10 to \$50 for each regular period of instruction or period of appropriate duty.

Eligibility requirements for prior service enlistment bonus (sec. 633)

This will eliminate the requirement that members with prior military service must first complete their military service obligation before being eligible to receive a bonus for enlisting in the Selected Reserve. The purpose is to make the enlistment bonus more flexible and widely used.

Increase and enhancement of affiliation bonus for officers of the Selected Reserve (sec. 634)

This will increase the maximum amount of the bonus for certain initial service of officers of the Selected Reserve from \$6,000 to \$10,000. Additionally, the provision will eliminate the condition for eligibility that officers have not previously served in the Selected Reserve.

Uniform payment of foreign language proficiency pay to eligible reserve component members and regular component members (sec. 639)

This will establish one authority for foreign language proficiency pay that specifies the same maximum amount and installment or lump sum payment options for both active component and reserve component members. It also prescribes the conditions and circumstances under which repayment of foreign language proficiency pay would be required.

Retention bonus for members qualified in certain critical skills or assigned to high priority units (sec. 640)

This will authorize the retention bonus for members qualified in a critical military skill under section 323 of title 37, United States Code, to be paid to reserve component members and would authorize the Secretary of Defense to establish additional criteria for payment of the bonus. The provision will also eliminate the prohibition of payment for service beyond 25 years for members qualified in designated special operations and naval nuclear skills.

The maximum retention bonus amount for reserve component members is \$100,000 and it is available to Selected Reserve members who volunteer for assignment to high priority units.

Temporary authority to pay bonus to encourage members of the Army to refer other persons for enlistment in the Army (sec. 645)

This authorizes the Secretary of the Army to conduct a pilot program through December 31, 2007, that would allow payment of up to \$1,000 in a lump sum to a member of the Army who refers a person, who is not an immediate family member and who has not previously served in the Armed Forces, to an Army recruiter. The bonus would be paid if the referred person enlists in the Army, Army Reserve, or Army National Guard and successfully completes basic training and individual advanced training.

Extension of eligibility for SSI for certain individuals in families that include members of the Reserve and National Guard (sec. 689)

This will amend section 1631(j)(1)(B) of the Social Security Act (42 U.S.C. 1383(j)(1)(B)) by changing from 12 to 24 months the amount of time that the income of certain individuals in families that include members of the reserve and National Guard may exceed prescribed limits for eligibility for Supplemental Security Income (SSI) before re-application for SSI benefits would be required. This provision will only apply to members of reserve components who were called to active duty under sections 12301(d) or 12302 of title 10, United States Code, or section 502(f) of title 32, United States Code.

Title VII – Health Care Provisions

Enhancement of TRICARE Reserve Select Program (sec. 701)

This authorizes enhancements to the TRICARE Reserve Select Program for members of the Selected Reserve who have served on extended active duty since September 11, 2001, and who commit to continued service in the Selected Reserve, as authorized in section 701 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375).

Expanded eligibility of members of the Selected Reserve under the TRICARE program (sec. 702)

This expands eligibility for TRICARE Standard coverage (“self alone” or “self and family” coverage) to members of the Selected Reserve who are committed to a period of obligated service in the Selected Reserve that extends through the enrollment period. Such members who are not eligible for health care benefits under an employer-sponsored health plan must pay a premium equal to 50 percent of the annual premium established by the Secretary of Defense for such coverage. Members who have access to employer-provided health care coverage but elect coverage under TRICARE Standard must pay 85 percent of the annual premium.

Program for mental health awareness for dependents and pilot project on Post-Traumatic Stress Disorder (sec. 721)

This will require the Secretary of Defense to develop a program to increase awareness of the availability of mental health services for dependents of members of the Armed Forces in both the active and reserve components whose sponsor has served or will serve in a combat theater of operations. The provision will require the Secretary to evaluate whether the effectiveness of the mental health awareness program will be improved by providing materials in languages other than English.

It will require the Secretary to develop a pilot project on Post-Traumatic Stress Disorder (PTSD). The pilot project will be designed to evaluate Internet-based tools available to military and civilian health care providers for early diagnosis and treatment of PTSD, and Internet tools to assist family members in the identification of the emergence of PTSD. The amendment will require a report to the congressional defense committees not later than June 1, 2006, on the pilot project.

Pilot projects on early diagnosis and treatment of Post-Traumatic Stress Disorder and other mental health conditions (sec. 722)

This authorizes the Secretary of Defense to carry out two pilot projects on early diagnosis and treatment of Post-Traumatic Stress Disorder and other mental health conditions.

One of the pilot projects authorized may be carried out at the location of a National Guard or Reserve unit or units that are located more than 40 miles from a military medical facility and whose personnel are served primarily by civilian community health resources.

Not later than September 1, 2006, the Secretary shall submit to the congressional defense committees a report on the progress toward identifying pilot projects to be carried out.

Requirements for physical examinations and medical and dental readiness for members of the Selected Reserve not on active duty (sec. 732)

This requires a comprehensive medical readiness health and dental assessment on an annual basis, including routine annual preventive health care screening and periodic comprehensive physical examinations in accordance with regulations prescribed by the Secretary of Defense that reflect morbidity and mortality risks associated with the military service, age, and gender of the member.

Report on Reserve dental insurance program (sec. 738)

This will require the Secretary of Defense to study and report to the congressional defense committees by February 1, 2007, on the most effective mechanism or mechanisms for paying premiums for the Reserve dental insurance program, and to assess the effectiveness of mechanisms utilized to inform members of the reserve components of the availability and benefits of the program.

Title VIII – Acquisition Policy, Acquisition Management, and Related Matters**Applicability of competition exceptions to eligibility of National Guard for financial assistance for performance of additional duties (sec. 806)**

This would clarify that exceptions to competition requirements provided in the Competition in Contracting Act (10 U.S.C. 2304), apply to support activities provided by the Army National Guard under the authority of section 113(b) of title 32, United States Code.

Authorization of evaluation factor for defense contractors employing or subcontracting with members of the selected reserve of the reserve components of the Armed Forces (sec. 819)

This will authorize the Department of Defense for all contracts for the procurement of goods and services to establish a source selection evaluation factor which favors entities that employ members of the Selected Reserve of the reserve components of the Armed Forces.

TITLE IX--DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT**Department of Defense strategy for open source intelligence (sec. 931)**

This directs the Secretary of Defense to create and submit to Congress a strategy for the use of open source intelligence by July 5th, 2006 (180 days after enactment of this Act.) The strategy would have 10 components focusing on application of open source intelligence in the intelligence process, as well as associated management, training, and personnel issues. This section specifically requires a plan for the use of intelligence personnel of the reserve components to augment and support the open source intelligence mission.

Title X – General Provisions

Coordination of Department of Defense Homeland Defense/Homeland Security Initiative in Support of First Responders

The conferees remain concerned about the level of planning and coordination between the Department of Defense and other federal departments and agencies that the Department might be called upon to assist in cases of natural or man-made disasters.

Therefore, the conferees direct the Secretary of Defense to provide the Committees on Armed Services of the Senate and the House of Representatives a report by March 5, 2005, detailing the Department's strategy and plans to coordinate with the Department of Homeland Security (DHS), the Department of Justice (DoJ), and state, local and tribal governments on command, control and communication problems encountered during man-made and natural disasters. Additionally, the report shall address technology developments and interoperability issues that exist or may exist between the Department and other federal departments, and state, local and tribal first responders, as well as possible solutions to resolve such issues. The conferees encourage the Department to continue its efforts to identify technologies that may serve homeland security purposes, and to make such technologies available to DHS, DoJ and the first responder community.

Clarification of authority for joint task forces to support law enforcement agencies conducting counterterrorism activities (sec. 1022)

This clarifies that a joint task force supporting law enforcement agencies conducting counterdrug activities may use funds available for that activity to also support counterterrorism activities by those law enforcement agencies. The fiscal authority provided here is a clarification of authority for joint task forces to support law enforcement agencies in both counterdrug and counterterrorism missions originally provided by Congress in the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136). This funding is available for fiscal years 2006 and 2007, and requires the Secretary of Defense to report on the effect of the availability of such funding on counterdrug and counterterrorism activities and objectives. The conferees believe the Secretary should ensure that counterdrug funding is utilized to fund counterterrorist activities where there is overlap between counterdrug and counterterrorist objectives.

Responsibilities of Assistant Secretary of Defense for Homeland Defense relating to nuclear, chemical, and biological emergency response (sec. 1031)

This designates the Assistant Secretary of Defense for Homeland Defense as the Department of Defense official responsible for co-ordinating the Department's emergency response assistance to federal, state, and local government officials dealing with incidents involving chemical, biological, nuclear, radiological, and high yield explosives.

Testing of preparedness for emergencies involving nuclear, radiological, chemical, biological, and high-yield explosives weapons (sec. 1032)

This designates the Secretary of Homeland Security as the federal official responsible for the preparedness testing of federal, state, and local agencies to respond to emergencies involving chemical, biological, nuclear, and radiological weapons.

Department of Defense chemical, biological, radiological, nuclear, and high-yield explosives response teams (sec. 1033)

This designates the Secretary of Homeland Security, rather than the Director of the Federal Emergency Management Agency, as the federal official who would request Department of Defense assistance in a weapons of mass destruction emergency response.

Repeal of Department of Defense emergency response assistance program (sec. 1034)

This repeals the requirement of the Secretary of Defense to carry out a program to train other federal, state, and local agency personnel regarding emergency response to threats or incidents involving weapons of mass destruction. The provision would further designate the Secretary of Homeland Security as the principal federal official responsible for such program.

Report on use of Department of Defense aerial reconnaissance assets to support Homeland Security border security missions (sec. 1035)

This authorizes the Secretary of Defense to use Department of Defense personnel and equipment to conduct aerial reconnaissance within the U.S. Northern Command area of responsibility with unmanned aerial vehicles. The purpose of these operations would be to detect and monitor suspicious air, sea, and surface traffic; and to communicate information on such traffic to appropriate federal, state, and local law enforcement officials.

It also requires the Secretary of Defense to submit a report to the Committees of Armed Services of the Senate and the House of Representatives not later than May 6, 2006 (120 days after the enactment of this Act), in coordination with the Secretary of Homeland Security, containing the results of a study regarding the use of aerial reconnaissance equipment of the Department of Defense in missions in which the Armed Forces support the Department of Homeland Security in performing its international border security mission.

Determination and report on full-time airlift support for homeland defense operations (sec. 1052)

This instructs the Secretary of Defense to determine the feasibility and advisability of dedicating a full-time airlift capability to support homeland defense operations.

It also instructs the Secretary to consider the transportation requirements of the newly established National Guard Chemical, Biological, Radiological, Nuclear and High Explosive Enhanced Response Force Packages.

Deletion of obsolete definitions in titles 10 and 32, United States Code (sec. 1057)

This amends titles 10 and 32 of the United States Code to delete the obsolete term 'Territory' [capitalized], which referred to Alaska and Hawaii prior to statehood, and to make conforming changes. The provision also changes references to 'Puerto Rico' in those titles to 'Commonwealth of Puerto Rico' to conform with current usage in other defense-related statutes.

Title XI – Civilian Personnel Matters

Payment of Federal employee health benefit premiums for mobilized Federal employees (sec. 1101)

This authorizes a federal government employee, who is a member of a Reserve component ordered to active-duty in support of a contingency operation and placed on leave without pay, to continue to receive coverage under the Federal Employee Health Benefit Program for 24 months. The provision would also authorize the agency to pay both the employee's share and the agency's share of the premiums for continued coverage up to 24 months.

Veterans' preference status for certain veterans who served on active duty during the period beginning on September 11, 2001, and ending as of the close of Operation Iraqi Freedom (sec. 1111)

This authorizes veterans' preference for civilian federal employment authorized in section 2108(1) of title 5, United States Code, for veterans who have served on active duty for a period of more than 180 consecutive days since September 11, 2001, and ending on the date proclaimed as the last date of Operation Iraqi Freedom.

Veterans' preference eligibility for military reservists (sec. 1112)

This clarifies that the veterans' preference eligibility for federal hiring authorized under section 2108(1) of title 5, United States Code, is available to military reservists who are discharged or released from active-duty service.

Title XV – Authorization for Increased Costs Due to Operation Iraqi Freedom and Operation enduring Freedom

This provides new authorizations of appropriations of \$25.0 billion for ongoing operations in Iraq and Afghanistan. The title also contains reporting requirements and general provisions.

Operation and Maintenance (sec. 1507)

Funds are hereby authorized to be appropriated for fiscal year 2006 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

OPERATIONS AND MAINTENANCE	
Service	FY 2006
Army National Guard	\$196,300,000
Air National Guard	\$13,400,000
Army Reserve	\$44,400,000
Air Force Reserve	\$7,000,000
Army	\$19,828,180,000
Navy	\$1,658,000,000
Marine Corps	\$1,588,250,000
Air Force	\$2,404,190,000
Defense-wide Activities	\$1,778,397,000
Naval Reserve	\$9,400,000
Marine Corps Reserve	\$4,000,000

ITEMS OF SPECIAL INTEREST

Unspecified minor construction accounts

This directs that, within authorized amounts for unspecified minor construction for each service component, the Secretary concerned shall carry out the following projects:

- Marana, Arizona Fire Station for the ARNG \$1,499,000
- Atlantic City IAP, New Jersey Construct Arm/Disarm Apron for the ANG 1,500,000
- Camp Murray, Washington Homeland Security Education Center for the ARNG 1,424,000

Title XXVI – Guard and Reserve Forces Facilities

Authorized Guard and Reserve construction and land acquisition projects (sec. 2601)

This authorizes appropriations for military construction for the Guard and reserve components in fiscal year 2006.

A State list of projects contained in the table below of this conference report entitled 'Military Construction Authorization for Fiscal Year 2006' provides the binding list of specific construction projects authorized at each location.

MILITARY CONSTRUCTION AUTHORIZATION, FY2006

(dollar amounts reflected in thousands)

Army National Guard Military Construction				
State	Installation	Project	FY06 Request	FY06 Authorized
AL	Fort Payne	Add/Alter Readiness Center	--	\$4,145
AR	Camp Robinson	Regional Training Institute Complex, Phase 1	--	\$5,608
CA	ANGRC Roseville	Add/Alter Readiness Center (AFRS)	\$2,941	\$2,941
CA	Camp Luis Obispo	Dining Facility	--	\$8,599
CA	Camp Roberts	Urban Combat Course	--	\$1,500
CO	Grand Junction	Field Maintenance Shop	--	\$5,100
FL	Camp Blanding	Regional Training Institute Complex, Phase 2	--	\$20,049
ID	Gowen Field	Railhead Project, Phase 1	--	\$8,415
IN	Camp Atterbury	Fire Station (ADRS)	\$2,454	\$2,454
IA	Ft. Dodge	Add/Alter Field Maintenance Shop	--	\$1,500
KS	Pittsburg	Readiness Center	--	\$5,683
KY	London	Joint Support Operations Center (Counterdrug)	--	\$1,785
KY	W.H. Ford RTC	Training Complex, Phase 6	\$9,720	\$9,720
MD	Dundalk Armory	Organizational Maintenance Shop	--	\$4,912
MA	ARNGRC Westfield	Fire Station	\$2,129	\$2,129
MA	Camp Curtis Guild	Organizational Maintenance Shop (ADRS)	\$17,136	\$17,136
MA	ARNGRC Camp Edwards	Add/Alter Readiness Center (ADRS)	\$2,542	\$2,542
MI	Camp Grayling	Multipurpose Machine Gun Range	\$1,901	\$1,901
MI	Lansing	U.S. Property Office/Readiness Center, Phase 1	--	\$11,800
MS	Camp Shelby	Modified Record Fire Range	\$3,000	\$3,000
MS	Camp Shelby	Combined Arms Area Wetlands Crossing, Phase 1	\$5,263	\$5,263
MO	Springfield	Aviation Classification Repair Depot, Phase 1	--	\$8,234
MO	Ft. Leonard Wood	MK 19 Range	\$1,878	\$1,878
MT	Townsend	Qualification Training Range	--	\$2,558

MT	Helena	Army Aviation Support Facility, Phase 2	\$5,942	\$5,942
MT	Helena	Add/Alter Readiness Center (ADRS)	\$1,324	\$1,324
NH	Concord	Joint Forces Headquarters, Phase 2	--	\$10,498
NJ	NAES Lakehurst	Consolidated Logistics and Training Facility	\$26,685	\$26,685
NY	ARNGRC Leeds	Add/Alter Readiness Center (ADRS)	\$3,065	\$3,065
NY	ARNGRC Kingston	Add/Alter Readiness Center (ADRS)	\$6,039	\$6,039
NY	ARNGRC Latham	Readiness Center (ADRS)	\$5,580	\$5,580
NY	ARNGRC Rochester	Army Aviation Support Facility	\$19,944	\$19,944
NC	Lenoir	Field Maintenance Shop	--	\$5,858
NC	ANGRC Tarboro	Add/Alter Readiness Center (ADRS)	\$1,154	\$1,154
ND	Bismark	WMD Civil Support Team Facility	--	\$3,737
ND	Minot (State Land)	Field Maintenance Shop	\$10,950	\$10,950
ND	Camp Grafton	Harden Perimeter Upgrade	--	\$870
OH	ARC North Canton	Army Aviation Support Facility	\$7,923	\$7,923
OH	Mansfield (State Land)	Fire Station (ADRS)	\$1,293	\$1,293
OR	Salem	WMD Civil Support Team Ready Building	--	\$2,735
PA	ANGRC Erie	Readiness Center (SBCT)	\$11,008	\$11,008
PA	ANGRC Erie	Field Maintenance Shop (SBCT)	\$5,136	\$5,136
PA	Ft. Indiantown Gap	Live Fire Shot House (SBCT)	\$2,346	\$2,346
PA	Ft. Indiantown Gap	Modified Record Fire Range Upgrade (SBCT)	\$2,683	\$2,683
PA	Ft. Indiantown Gap	Unit Storage Site (SBCT)	\$2,961	\$2,961
PA	Ft. Indiantown Gap	MK 19 40mm Machine Gun Qualification Range (SBCT)	\$4,344	\$4,344
PA	Ft. Indiantown Gap	Mission Support Training Facility (SBCT)	\$4,363	\$4,363
PA	Ft. Indiantown Gap	Sniper Range (SBCT)	\$2,898	\$2,898
PA	Ft. Indiantown Gap	UAV Training Facility	\$2,482	\$2,482
PA	Ft. Indiantown Gap	Urban Assault Course (SBCT)	\$2,459	\$2,459
PA	Ft. Indiantown Gap	Battalion Training Facility, Phase 1 (SBCT)	\$22,190	\$22,190
PA	Ft. Indiantown Gap	Infantry Squad Battle Course (SBCT)	\$2,859	\$2,859
PA	Ft. Indiantown Gap	Combined Arms Collective Training Facility	\$16,706	\$16,706

PA	Ft. Indiantown Gap	Multipurpose Machine Gun Range (SBCT)	\$4,202	\$4,202
PA	Philadelphia	Field Maintenance Shop (SBCT)	\$6,207	\$6,207
PA	Philadelphia	Readiness Center (SBCT)	\$11,925	\$11,925
TN	Nashville	Readiness Center, Phase 2	--	\$23,193
UT	Camp Williams	Add/Alter Readiness Center (ADRS)	\$3,279	\$3,279
VT	Camp Ethan Allen	Modified Record Fire Range	\$3,000	\$3,000
VT	Camp Johnson	Information Systems Facility	--	\$5,617
VA	Winchester	Readiness Center	--	\$7,619
VA	Ft. Belvoir	Total Army School System Complex, Phase 1	\$13,596	\$13,596
VA	Ft. Pickett	MOUT Shoot House (SB)	\$1,552	\$1,552
WV	Camp Dawson	Readiness Center	--	\$4,500
WI	Camp Williams	Readiness Center	\$5,357	\$5,357
WY	Casper	Add/Alter Readiness Center (ADRS)	\$2,802	\$2,802
GU	Barrigada	WMD Civil Support Team Ready Building	--	\$4,852
**	Unspecified Worldwide	Planning and Design	\$46,148	\$64,955
**	Unspecified Worldwide	Unspecified Minor Construction	\$7,646	\$15,313

Air National Guard Military Construction

State	Installation	Project	FY06 Request	FY06 Authorized
AL	Montgomery Regional Airport	Replace Composite Operational and Training Facility	\$9,100	\$9,100
AK	Eielson Air Force Base	Mobility Warehouse	--	\$5,900
CA	Fresno Yosemite IAP	ASA-Fresno Alert Crew Quarters Facility	\$3,000	\$3,000
CO	Greeley ANG Station	Space Warning Squadron Support Facility	--	\$6,400
DE	New Castle Co Airport	Add/Alter Reserve Forces Medical Training Facility	--	\$1,500
DE	New Castle Co Airport	New Security Forces Facility	--	\$1,400
GA	Savannah/HH IAP	Replace CRTC Operations, Medical Training Complex	\$7,200	\$7,200
HI	Hickam Air Force Base	F-15 Aircraft Rinse Facility	\$2,500	\$2,500
IL	Peoria Regional Airport	Replace Composite ASOC/ASOS Training Facility	--	\$9,600
MA	Barnes Municipal Airport	Weapons Maintenance/Load Crew Training Facility	--	\$7,100
MI	Alpena	CRTC Squadron Operations Center	--	\$9,500

MI	W.K. Kellogg Airport	Replace Civil Engineering Complex	--	\$7,400
MN	Duluth IAP	Add/Alter Fire Station	--	\$6,500
MN	Minneapolis-St. Paul IAP	Composite Maintenance Complex	--	\$8,800
MS	Gulfport	Replace Munitions Training and Storage Complex	--	\$4,500
NV	Reno-Tahoe IAP	Intelligence Facility	--	\$16,800
NY	Hancock Field	Upgrade Squadron Operations Facility	--	\$5,600
NY	Stewart IAP	Replace Fire Crash/Rescue Station	\$10,200	\$10,200
NY	Griffiss	Northeast Air Defense Sector Support Facility, Phase 1	--	\$3,000
NC	Charlotte/Douglas IAP	Vehicle Maintenance Complex	\$3,400	\$3,400
OH	Camp Perry ANG Station	Replace Troop Training Headquarters	--	\$4,700
SD	Joe Foss Field	Upgrade Security Force Facility and Comm	--	\$5,500
TN	Memphis IAP	C-5 Maintenance Hangar and Shops	\$39,000	\$39,000
TN	Memphis IAP	C-5 Fuel Cell Maintenance Hangar and Shop	\$23,000	\$23,000
WV	Martinsburg ANG	C-5 Shop Upgrades	--	\$2,000
WV	Martinsburg ANG	C-5 Jet Fuel Storage/Hydration System/Apron	\$20,000	\$20,000
WV	Martinsburg ANG	C-5 Corrosion Control Hangar	\$23,000	\$23,000
WV	Martinsburg ANG	Upgrade and Extend Runway	--	\$17,000
WI	General Mitchell IAP	Upgrade Composite Maintenance Support Complex	--	\$7,000
WY	Cheyenne IAP	Composite Airlift Support Center	\$7,000	\$7,000
**	Unspecified Worldwide	Planning and Design	\$12,856	\$12,856
**	Unspecified Worldwide	Unspecified Minor Construction	\$5,000	\$6,882

TITLE XXVIII--GENERAL PROVISIONS - MILCON

Modification of congressional notification requirements for certain military construction activities (sec. 2801)

This reduces 21 days to 14 days and 14 days to 7 days the wait periods for electronic notifications to Congress for certain acquisitions in lieu of construction projects and 30 days to 21 days and 21 days to 14 days the wait periods for electronic notifications to Congress for certain acquisitions in lieu of contingency construction projects.

Acquisition of associated utilities, equipment, and furnishings in reserve component facility exchange (sec. 2808)

This amends section 18240 of title 10, United States Code, to amend the definition of 'facility' in section 18240 to include utilities, equipment, and furnishings required to be installed in a facility.

Redesignation of McEntire Air National Guard Station, South Carolina, as McEntire Joint National Guard Base (sec. 2875)

This contains a provision (sec. 2862) that would redesignate McEntire Air National Guard Station, South Carolina as McEntire Joint National Guard Base in recognition of the use of the installation to house both Air National Guard and Army National Guard assets.

Appendix A -- Legislative Provisions Not Adopted

PROCUREMENT – PROVISIONS NOT ADOPTED

F–16 Bomb Rack Unit–57

The budget request contained \$24.1 million for war consumables, but included no funds to procure the F–16 bomb rack unit (BRU)–57 for the Air National Guard (ANG). The U.S. House of Representatives had recommended an increase of \$5.3 million, but no increase was included in the Senate-passed bill or in the final conference report.

F–15E Procurement

The budget request included no funding in Aircraft Procurement, Air Force (APAF), for the procurement of F–15E attrition reserve aircraft. The procurement of F–15E attrition reserve aircraft is included on the Air Force Chief of Staff's unfunded priorities list. The U.S. Senate had recommended an increase of \$65.0 million in APAF for the procurement of F–15E aircraft, but no increase was included in the House-passed bill or the final conference report.

Report on Aircraft to Perform High-Altitude Aviation Training Site

Because the Secretary of the Army had already begun an evaluation of aircraft to determine the most appropriate schedule for assigning suitable aircraft to the High-Altitude Aviation Training Site (HAATS) the conferees did not direct the Secretary to prepare a report but did state that they “look forward to delivery of the report of this evaluation to the congressional defense committees no later than December 15, 2005.” (*Conference Report, page 684, Title III – Operations and Maintenance, Legislative Provisions Not Adopted*)

OPERATIONS AND MAINTENANCE – PROVISIONS NOT ADOPTED

Joint Task Force North

The conference did not authorize funding for the Joint Task Force North (JTF-N). In September 2004, Commander, U.S. Northern Command (NORTHCOM), assigned JTF–N a full homeland defense and civil support mission, transforming JTF–N into an operational, proactive, transnational threat-focused organization driven by actionable intelligence. The president's budget request had included \$4.5 million in the Operations and Maintenance, Air Force (OMAF) account for Joint Task Force North (JTF–N), but no funding was authorized in the conference report.

Mobility Air Force Depot Maintenance

The conference did not authorize funding for Operations and Maintenance, Air Force, depot maintenance programs. The president's budget request had proposed \$2.5 billion in Operation and Maintenance, Air Force (OMAF), for depot maintenance programs, including \$287.8 million for KC–135 depot maintenance and \$87.5 million for C–130 depot maintenance. Additional funding for KC–135 depot maintenance and for C–130 depot maintenance has been identified on the Chief of Staff of the Air Force unfunded priorities list.

Counseling and Assistance, and Childcare, for Military Families

The conference authorized \$1.8 billion for the Department of Defense Education Agency, but did not mark funding for counseling and assistance to military families or child care for military families. Both of these programs fall under the jurisdiction of the Department of Defense Education Agency.

Virtual Battlefield System One (ARNG)

The conference did not authorize funding for the virtual battlefield system one (VBS1). The budget request included no funding VBS1, but the Senate committee recommended an increase of \$8.0 million in OMARNG for VBS1. This system is specifically designed to meet the training objectives of small infantry unit operations. The Army National Guard initiated fielding of the VSB1 in response to an urgent training requirement in support of deploying units. VSB1 is currently part of the predeployment training package at many Army National Guard mobilization sites.

MILITARY PERSONNEL POLICY – PROVISIONS NOT ADOPTED
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Commencement of receipt of non-regular service retired pay by members of the ready reserve on active federal status or active duty for significant periods

The Conference Committee rejected a Senate provision which would have amended section 12731 of title 10, United States Code, to provide that members of the ready reserve who have served on active duty after September 11, 2001, would be eligible to have their age for receipt of retired pay reduced by 3 months for each aggregate of 90 days of active duty performed.

Federal assistance for state programs under the National Guard Youth Challenge program

The Conference Committee rejected a Senate provision which would phase in over 3 years a change in the federal to state matching funds ratio required by section 509(d) of title 32, United States Code, for the National Guard Youth Challenge program.

Performance by reserve component personnel of operational test and evaluation and training relating to new equipment

The Conference Committee rejected a Senate provision which would have authorized the Secretary of the Army to carry out a pilot program through September 2010 to evaluate the feasibility and advisability of utilizing members of the reserve components of the Army, rather than contractor personnel, to perform test, evaluation, and new equipment training, and related activities.

Use of National Guard to provide military support to civilian law enforcement agencies for domestic counterterrorism activities

The Conference Committee rejected a House provision which would have authorized the governor of a State to order personnel of that state's National Guard to active duty under title 32, United States Code, to provide military support to a civilian law enforcement agency, on a reimbursable basis, for domestic counterterrorism activities. The provision would define domestic counterterrorism as measures taken to prevent, deter, and respond to terrorism within a State.

MILITARY PERSONNEL – PROVISIONS NOT AUTHORIZED**Comptroller General report regarding compensation and benefits for reserve component members**

The Conference Committee rejected a House provision which would have required the Comptroller General to prepare a report reviewing the terms and elements of reserve compensation, benefits, and personnel support programs, including the retirement system.

Revision to eligibility for nonregular service retirement after establishing eligibility for regular retirement

The Conference Committee rejected a House provision which would have allowed service members who are qualified for active duty retirement to continue to serve in an active reserve status and remain eligible for a reserve retirement at age 60 without being required to be formally retired under the applicable active duty authority as required by current law.

**ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS
– PROVISIONS NOT ADOPTED****Sense of Senate on applicability of competition exceptions to eligibility of National Guard for financial assistance for performance of additional duties**

The Conference Committee rejected a senate provision expressing the sense of the Senate on the circumstances in which the Secretary of Defense may provide financial assistance to the Army National Guard for the performance of certain duties without the use of competitive procedures. The committee did, however, approve a clarification as mentioned in section 806 (see above).

GENERAL PROVISIONS – PROVISIONS NOT ADOPTED**Extension of Department of Defense authority to support counterdrug activities**

The conference committee rejects a House provision that would extend the authorization from 2006 to 2011.

GUARD AND RESERVE FACILITIES – PROVISIONS NOT ADOPTED**The Conference Committee rejected to fund the following projects:**

- Construction of Army Aviation Support Facility, New Castle, Delaware
- Construction of Upgrade Force Protection, Relocate Road, Yeager Airport, West Virginia